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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/529,681

03/29/2005

Jozef Reinerus Maria Bergervoet

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

RILEY, SHAWN

ART UNIT

PAPER NUMBER

2838

MAIL DATE

DELIVERY MODE

10/07/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/529,681

Applicant(s)BERGERVOET, JOZEF
REINERUS MARIA**Examiner**

Shawn Riley

Art Unit

2838

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,5,7 and 8 is/are rejected.
- 7) ☒ Claim(s) 3 and 6 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: sections should include the titling of, e.g., "Brief description of the Drawings", etc. Appropriate correction is required.

Claim Rejections - 35 U.S.C. § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 4, 5, 7, and 8 are rejected under 35 U.S.C. §102(b) as being fully anticipated by Balakrishnan et al. (U.S. Patent 6,249,876) and alternatively by Colotti (U.S. Patent 5,537,305). Balakrishnan et al shows,¹ (in, e.g., the(ir) figure(s)² 6 and

¹ Note claims will be addressed individually and the material in parentheses are the examiner's annotated

corresponding disclosure) and Colotti shows,³ (in, e.g., the(ir) figure(s)⁴ 4 and corresponding disclosure) .

E.g., Colotti shows A switched-mode control circuit generating an output signal and comprising a switched-mode circuit (32/20a-d) that is indirectly coupled to a tuner (34), which supplies the switched-mode control circuit with a reference signal comprising, or

comments. Further unless needed for clarity reasons, recited limitation(s), will be annotated only upon their first occurrence. Claims that are not annotated are seen as having already had the invention(s) addressed previously in an annotated claim and may be repeated for convenience of the applicant/examiner. Bolded words/phrases indicate rejected material based 112 paragraph rejections. Underlined words/phrases indicate objected to material. For method claims, note that under MPEP 2112.02, the principles of inherency, if a prior art device, in its normal and usual operation, would necessarily perform the method claimed, then the method claimed will be considered to be anticipated by the prior art device. When the prior art device is the same as a device described in the specification for carrying out the claimed method, it can be assumed the device will inherently perform the claimed process. In re King, 801 F.2d 1324, 231 USPQ 136 (Fed. Cir. 1986). Therefore the previous rejections based on the apparatus will not be repeated.

2 The term ‘connect/connected’ is taken to mean a direct electrical connection between the things that are connected, without any intermediate devices. The term ‘couple/coupled’ is taken to mean either a direct electrical connection between the things that are connected, or an indirect connection through one or more passive or active intermediary devices. The term ‘circuit’ is taken to mean either a single component or a multiplicity of components, either active or passive, that are coupled together to provide a desired function.

3 Note claims will be addressed individually and the material in parentheses are the examiner’s annotated comments. Further unless needed for clarity reasons, recited limitation(s), will be annotated only upon their first occurrence. Claims that are not annotated are seen as having already had the invention(s) addressed previously in an annotated claim and may be repeated for convenience of the applicant/examiner. Bolded words/phrases indicate rejected material based 112 paragraph rejections. Underlined words/phrases indicate objected to material. For method claims, note that under MPEP 2112.02, the principles of inherency, if a prior art device, in its normal and usual operation, would necessarily perform the method claimed, then the method claimed will be considered to be anticipated by the prior art device. When the prior art device is the same as a device described in the specification for carrying out the claimed method, it can be assumed the device will inherently perform the claimed process. In re King, 801 F.2d 1324, 231 USPQ 136 (Fed. Cir. 1986). Therefore the previous rejections based on the apparatus will not be repeated.

4 The term ‘connect/connected’ is taken to mean a direct electrical connection between the things that are connected, without any intermediate devices. The term ‘couple/coupled’ is taken to mean either a direct electrical connection between the things that are connected, or an indirect connection through one or more passive or active intermediary devices. The term ‘circuit’ is taken to mean either a single component or a multiplicity of components, either active or passive, that are coupled together to provide a

related to, a frequency or frequency band that is to be protected, characterized by a monitoring loop (see, e.g., column 4 lines 3-17) for monitoring the output signal.

Allowable Subject Matter

3. Claims 3 and 6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. As allowable subject matter has been indicated, applicant's response must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 C.F.R. § 1.111(b) and section 707.07(a) of the M.P.E.P.

5. The following is an examiner's statement of reasons for allowance: As to claim 3, no prior art uncovered anticipates or renders obvious applicant(s) claimed switched-mode control circuit including a monitoring loop for receiving the reference signal, comprising the protected frequency or frequency band and the output signal, are two quadrature mixers coupled by a filter.

Further, as to claim 6, no prior art uncovered anticipates or renders obvious applicant(s) claimed switched-mode control circuit including a filter is coupled between the output of the switched-mode circuit and the input of the monitoring loop.

Conclusion

N.B. Any inquiry from other than the applicant/attorney of record (~~THAT INCLUDES SECRETARIAL AND ANY OTHER TYPE OF SUPPORT STAFF~~) concerning this communication or earlier communications from the Examiner should be directed to the Patent Electronic Business Center (EBC) at 1.866.217.9197.

Any inquiry from a member of the press concerning this communication or earlier communications from the Examiner or the application should be directed to the Office of Public Affairs at 703.305.8341. Any inquiry from the applicant or an attorney of record concerning this communication or earlier communications from the Examiner should be directed to Examiner Riley whose telephone number is 571.272.2083. The Examiner can normally be reached Monday through Thursday from 7:30-6:00 p.m. Eastern Standard Time. The Examiner's Supervisor is Akm Ullah can be reached on 571-272-2361. Any inquiry about a case's location, retrieval of a case, or receipt of an amendment into a case or information regarding sent correspondence to a case **should be directed to 2800's Customer Service Center** at 571.272.2815. Any papers to be sent by fax MUST BE sent to fax number **571-273-8300**. Any inquiry of a general nature of this application should be **directed to the Group receptionist** whose telephone number is 571.272.2800. Status information of cases may be found at <http://pair-direct.uspto.gov> wherein unpublished application information is found through private PAIR and published application information is found through public PAIR. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Further help on using the PAIR system is available at 1.866.217.9197 (Electronic Business Center). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

October 08

/Shawn Riley/
Primary Examiner AU 2838